



Linda D. Thompson, Mayor

**RESOLUTION
OF
HARRISBURG PLANNING COMMISSION
FOR THE ADOPTION OF A NEW ZONING CODE**

WHEREAS, the City of Harrisburg has prepared a new Zoning Code consistent with the provision of the Pennsylvania Municipalities Planning Code (Act of 1968, PL 805, No. 247 as reenacted and amended); and

WHEREAS, the existing Zoning Code was adopted by the City of Harrisburg on October 3, 1950 and now contains 29 base zoning districts and 6 overlay zoning districts and includes many contradictory and outdated regulations, and serves to hinder development and redevelopment in the City of Harrisburg; and

WHEREAS, the new Zoning Code includes Community Development Objectives which are consistent with the goals of the City's Comprehensive Plan as well as additional redevelopment and neighborhood planning efforts undertaken by the City and community partners; and

WHEREAS, the new Zoning Code eliminates pyramidal zoning districts and strengthens mixed use zoning districts to encourage activities along pedestrian corridors; and

WHEREAS, the new Zoning Code creates a new Institutional Zoning District to protect and facilitate expansion of government, educational, hospital, and community facilities; and

WHEREAS, the new Zoning Code replaces the Special Planned Development zoning district with the Riverfront zoning district, which will be located along Front Street as well as State Street between Riverfront Park and the Capitol; and

WHEREAS, the new Zoning Code encourages redevelopment around the Harrisburg Transportation Center and further east along Market Street by expanding the Downtown Center zoning district; and

WHEREAS, the new Zoning Code removes off-street parking requirements in the Downtown Center and the Commercial Neighborhood zoning districts to remove development barriers and to encourage more reliance on alternative transportation modes; and

WHEREAS, the new Zoning Code correctly designates the Open Space and Recreation areas in the City by removing inappropriate zoning categories; and

WHEREAS, the new Zoning Code removes inappropriate industrial zoning within neighborhoods and facilitates redevelopment opportunities that will benefit residents and small businesses in the City of Harrisburg; and

WHEREAS, the new Zoning Code eliminates discriminatory treatment of non-traditional families in residential zoning districts; and

WHEREAS, the new Zoning Code significantly expands the public notice requirements for special exceptions and variances beyond what is required by the Pennsylvania Municipalities Code; and

WHEREAS, the new Zoning Code establishes time limits for public hearings and final action on proposed amendments to the Zoning Code; and

WHEREAS, the new Zoning Code eliminates use variances which are contrary to the basic purpose of zoning and requires property owners to request variances for relief from development standards which create a hardship; and

WHEREAS, the new Zoning Code expedites the elimination of nonconforming uses which have been abandoned; and

WHEREAS, the new Zoning Code provides an opportunity for property owners to create additional multifamily units in existing single dwelling structures based on specific criteria; and

WHEREAS, the new Zoning Code will increase opportunities for home-based businesses by allowing no-impact home occupations in all residential zoning districts; and

WHEREAS, the new Zoning Code, which contains nine base zoning districts and three overlay zoning districts, will represent a land use regulatory document that is easier to understand and easier to administer; and

WHEREAS, the Planning Bureau released the first Draft of the Zoning Code in November 2009, placed the Draft Zoning Code on the City web page, and held 17 meetings, including 3 public meetings, during the spring of 2010 to present the Draft Zoning Code to neighborhood organizations and other stakeholders in the City of Harrisburg; and

WHEREAS, the Planning Bureau received 35 written comments from 31 organizations and individuals during the spring and subsequently released a revised Draft of the Zoning Code in May 2010 based on public comments received; and

WHEREAS, the Harrisburg Architectural Review Board reviewed the Draft Zoning Code on June 7th and agreed with the revisions to the Historic Overlay District; and

WHEREAS, the Dauphin County Planning Commission reviewed the Draft Zoning Code on June 7, 2010, provided comments on the Draft Zoning Code, and stated that the Dauphin County Planning Commission supported the new Zoning Code (attached); and

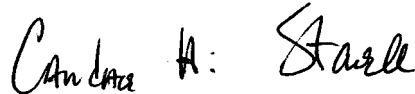
WHEREAS, the Harrisburg Planning Commission reviewed the Draft Zoning Code on May 5, June 2nd, July 7th, July 26th, and August 4th and heard public comments at each meeting; pursuant to the provisions in Article VI, Section 609 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended.

NOW, THEREFORE, BE IT RESOLVED that the Harrisburg Planning Commission recommends by a unanimous vote (5-0) that the Harrisburg City Council adopt the new Zoning Code with the following conditions:

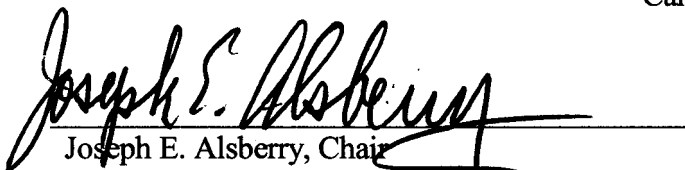
1. Revise Chapter 7-327, Off-Street Parking and Loading, to incorporate additional standards for bicycle racks, as submitted by Pennsylvania Walks and Bikes;
2. Revise Chapter 7-331, Environmental Performance Standards, to incorporate additional standards to prevent light spillover onto residential properties; and
3. Include all members of the Harrisburg Planning Commission as signatories to this Resolution.

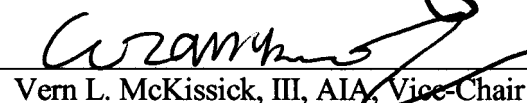
NOW, THEREFORE, BE IT RESOLVED that the Harrisburg Planning Commission recommends by a unanimous vote (5-0) that the Harrisburg City Council adopt the new Zoning Code for reasons stated in this Resolution.

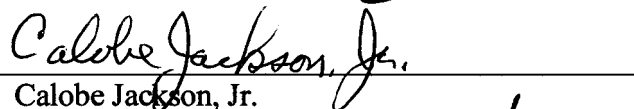
This is to certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the Harrisburg Planning Commission on the 4th day of August, 2010.

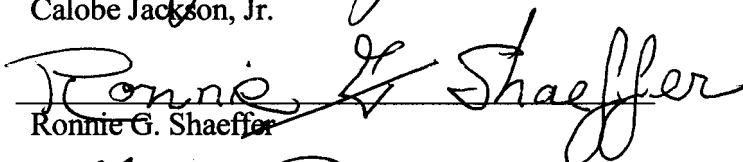


Candace H. Stowell, AICP, Executive Secretary


Joseph E. Alsberry, Chair


Vern L. McKissick, III, AIA, Vice-Chair


Calobe Jackson, Jr.


Ronnie G. Shaeffer


Shaun E. O'Toole, Esq.

DAUPHIN COUNTY PLANNING COMMISSION

DAUPHIN COUNTY COURTHOUSE - HARRISBURG, PENNSYLVANIA 17101

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June 7, 2010

City of Harrisburg
Department of Building and Housing Redevelopment
10N. Second Street, Suite 206,
Harrisburg, PA 17101

ATTN: Candace Stowell

RE: Draft Zoning Code

Dear Ms. Stowell,

The Dauphin County Planning Commission (DCPC) at its regularly scheduled meeting on June 7, 2010, reviewed the draft zoning code and has the following comments:

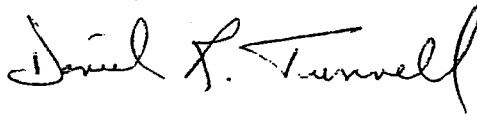
1. A copy of the zoning map should be provided to the adjoining Dauphin County municipalities to check for land use compatibility.
2. The proposed Land Use and Zoning maps appear to comply with the County's Future Land Use Plan.
3. The Zoning Ordinance appears to be consistent with applicable provisions of the PA Municipalities Planning Code.
4. A note should be added to indicate flood plain maps and requirements would be updated based on the latest information from FEMA.
5. The Downtown Center zone should probably end at Market and Fifth Streets, the properties east of the Market and Fifth Streets should either be considered for Commercial General or Commercial Neighborhood zones, most of the existing buildings there are less than 45 feet high and are not compatible with the Downtown Center.
6. The parcels South along the river where the PennDOT building is located is not ideal for a Special Planned Development zone.
7. Light Industry and Heavy Industry zones could be merged, both are similar where most of the uses are permitted in both the zones, with the exception of very few specific uses, these uses could be made permissible through Special Exceptions.

8. The zoning ordinance should reflect the goals of the comprehensive plan, the city should update its comprehensive plan. Ideally the comprehensive plan should be updated prior to the updating the zoning ordinance.

DCPC supports the draft zoning code with consideration given to the above noted comments.

DCPC wishes to compliment the City of Harrisburg and its Staff on this major accomplishment. Please be reminded that Section 608 of the Pennsylvania Municipalities Planning Code requires that within 30 days after enactment, a copy of the zoning ordinance shall be forwarded to the County Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel R. Tunnell". The signature is fluid and cursive, with the first name "Daniel" and last name "Tunnell" clearly distinguishable.

Daniel R. Tunnell
Chairman - Dauphin County Planning Commission